



Attorney Docket No. T688-A.10N

THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PHILLIP BRANDT BIRD et )  
al. )  
TITLE: FLEXIBLE FLASHLIGHT )  
EXTENSION )  
SERIAL NO.: 09/941,930 )  
FILED: August 28, 2001 )  
EXAMINER: J. Ward )  
ART UNIT: 2875 )

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Assignee, Mag Instrument, Inc., a corporation created and existing under and by virtue of the laws of the State of California, is the owner of the entire right, title and interest in and to the above-identified application.

Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, of prior Patent No. 6,280,050. Assignee hereby agrees that

Signature of Philip Brandt Bird, Jr.

I hereby certify that this document is being filed with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 1 day of October, 2003.

Philip B. Bird, Jr.  
Registration No. 1,146

any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such

willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATED this 1 day of October, 2003.

Respectfully submitted,

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